



DOCKET NO. 1877.1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tai-Wha CHUNG et al.

Serial No. 10/540,848

Group Art Unit: 1641

Confirmation No. 2217

Filed: March 29, 2006

Examiner: NGUYEN, Bao Thuy L.

For: METHOD FOR DIAGNOSING LIVER DISEASES (as amended)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AFFIDAVIT

I, Tai-Wha Chung, an inventor in the above-identified patent application, hereby declare as follows:

1. As 16.89 (lymphoblast-like hybridoma cell lines), assigned accession number KCTC 10261BP, has been deposited in the Korean Collection for Type Cultures, Korea Research Institute of Bioscience and Biotechnology (KRIBB) #52, Oun-dong, Yusong-ku, Taejon 305-333, Republic of Korea, as International Depository Authority as established under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure on May 24, 2002.

2. During the pendency of this application, access to the invention will be afforded to the Commissioner upon request;

3. All restrictions upon availability to the public will be irrevocably removed upon granting of the patent;

4. The deposits will be maintained in a public depository for a period of 30 years or 5 years after the last request or for the effective life of the patent, whichever is longer;

5. The deposits were viable at the time of deposit; and

6. The deposits will be replaced if they should ever become non-viable.

7. Declarant further states that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment or both, under Section 1001 of Title 18 of the United States Code and any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: March 20, 2008

By: *Chung*
Tai-Wha Chung



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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

DECLARATION UNDER 37 C.F.R. 131

We, Tai Wha Chung, Eun Young SONG, Ji Hyun KANG, Kyoung A. KIM, Eun Young LEE, Yong Kyung CHOE, Yung Dai KIM, Hong Soo LEE, Hee Jung KIM, Byung Min AHN, and Cheorl Ho KIM, hereby declare as follow:

1. U.S. patent application Ser. No. 10/540,848, a national patent application filed based on WO 2004/058823, which claims a priority date of December 27, 2002, is the work of Tai Wha CHUNG, Eun Young SONG, Ji Hyun KANG, Kyoung A. KIM, Eun Young LEE, and Yong Kyung CHOE.
2. Eun Young SONG, Kyoung A. KIM, Yung Dai KIM, Eun Young LEE, Hong Soo LEE, Hee Jung KIM, Byung Min AHN, Yong Kyung CHOE, Cheorl Ho KIM, and Tai Wha CHUNG are authors of "Elevation of serum asiolο- α_1 acid glycoprotein concentration in patients with hepatic cirrhosis and hepatocellular carcinoma as measured by antibody-lectin sandwich assay," Hepatology Research, 26(2003), 311-317.
3. Tai Wha CHUNG, Eun Young SONG, Ji Hyun KANG, Kyoung A. KIM, Eun Young LEE, and Yong Kyung CHOE are inventors of the subject matter set forth in U.S. patent application Ser. No. 10/540,848, which is also described in "Elevation of serum asiolο- α_1 acid glycoprotein concentration in patients with hepatic cirrhosis and hepatocellular carcinoma as measured by antibody-lectin sandwich assay," Hepatology Research, 26(2003), 311-317.
4. While Yung Dai KIM, Hong Soo LEE, Hee Jung KIM, Byung Min AHN, and Cheorl Ho KIM are authors of "Elevation of serum asiolο- α_1 acid glycoprotein concentration in patients with hepatic cirrhosis and hepatocellular carcinoma as measured by antibody-lectin sandwich assay," Hepatology Research, 26(2003), 311-317, Yung Dai KIM Hong Soo LEE, Hee Jung KIM, Byung Min AHN, and Cheorl Ho KIM are not

inventors of the subject matter of U.S. patent application Ser. No. 10/540,848.

5. Declarants further state that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment or both, under Section 1001 of Title 18 of the United States Code and any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: March 20, 2008

By: Chuny
Tai-Wha CHUNG

Date: March 20, 2008

By: Eun Young S-
Eun Young SONG

Date: March 21, 2008

By: Ji Hyun
Ji Hyun KANG

Date: March 25, 2008

By: Kyoung A.
Kyoung A. KIM

Date: March, 25, 2008

By: Lee
Eun Young LEE

Date: March, 26, 2008

By: Chae
Yong Kyung CHOE

Date: March, 27, 2008

By: Dai
Yung Dai KIM

Date: March 27, 2008

By: Soo
Hong Soo LEE

Date: March, 28, 2008

By: Hee Jung
Hee Jung KIM

Date: March, 28, 2008

By: Min AHN
Byung Min AHN

Date: March, 24, 2008

By: Ho KIM
Cheol Ho KIM

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1

TO : Kobias
 BVC 115, Korea Research Institute of Bioscience and Biotechnology,
 #52, Oun-dong, Yusong-ku, Taejon 305-333,
 Republic of Korea

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: As16.89 (lymphoblast-like hybridoma cell lines)	Accession number given by the INTERNATIONAL DEPOSITORY AUTHORITY: KCTC 10261BP
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
<p>The microorganism identified under I above was accompanied by: <input checked="" type="checkbox"/> a scientific description <input type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)</p>	
III. RECEIPT AND ACCEPTANCE	
<p>This International Depository Authority accepts the microorganism identified under I above, which was received by it on May 24 2002.</p>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
<p>The microorganism identified under I above was received by this International Depository Authority on _____ and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____</p>	
V. INTERNATIONAL DEPOSITORY AUTHORITY	
<p>Name: Korean Collection for Type Cultures</p> <p>Address: Korea Research Institute of Bioscience and Biotechnology (KRIIBB) #52, Oun-dong, Yusong-ku, Taejon 305-333, Republic of Korea</p>	<p>Signature(s) of person(s) having the power to represent the International Depository Authority or authorized official(s):  BAE, Kyung Sook, Director Date: June 19 2002</p>